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June 14, 2007

Via Facsimile (with prior approval)

Hon. Stephen C. Robinson
United States District Court Judge
Southern District of New York
United States Courthouse
300 Quarropas St., Room 633
White Plains, NY 10601

MEMO ENDORSED

Re: David Lion, et al. v. VCU Health System MCU Hospitals and Physicians, et al.
Case Number: 07-3129 (SCR); Our File No.: 04003.0147

Dear Judge Robinson:

We represent VCU Health System Authority, erroneously sued in the above-referenced action as VCU Health System MCU Hospitals and Physicians (herein, "VCU Health System"), and each of the individual defendant doctors (collectively with VCU Health System, the "Defendants") in the above-referenced action.

On June 11, 2007, I sent a letter request for a pre-hearing conference to discuss the filing of a motion to dismiss the above-referenced action. Based on my discussion with chambers concerning this issue, I have conferred with plaintiff's counsel and, subject to Your Honor's approval, we have agreed to the following briefing schedule: the motion will be served by Friday, June 15, 2007; any opposition to the motion will be served by July 16, 2007; and any reply papers will be served by August 3, 2007. I also was informed that the initial conference date, presently set for June 29, 2007 at 10:00 a.m., will be taken off calendar and that the new date for an initial conference (and, if directed by Your Honor, for oral argument on our motion to dismiss) will be September 7, 2007 at 10:00 a.m. Plaintiff's counsel confirmed to me that this date is acceptable.

Briefing schedule approved as
specified above. Sept. 7 conference
will NOT be an oral argument.

Respectfully,

Michael T. Conway

MTC/nh Parties may request oral argument

cc: Arlen S. Yalkut, Esq.

APPLICATION GRANTED

on motion, but court
will not schedule one
at this time.

Stephen C. Robinson

HON. STEPHEN C. ROBINSON

6/14/07

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